

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Farroh Roof and Truss Co.,

Plaintiff,

vs.

Annabelle Homes, LLC, et. al.,

Defendants.

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**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Case No. 4:13-cv-005

The Plaintiff initiated this breach of contract action against on January 10, 2013. See Docket No. 1. On May 2, 2014, pursuant to a stipulation filed by the parties, the Court entered an order suspending all pretrial deadlines and cancelling the final pretrial conference and bench trial scheduled in September 2014. There has since been no meaningful activity in the case since then other than periodic status conferences initiated by the Court.

On March 5, 2015, Magistrate Judge Miller entered an order giving the parties until March 16, 2015, to show cause why the action should not be dismissed for failure to prosecute. No responses were filed.

On March 18, 2015, Judge Miller issued a Report and Recommendation in which he recommended the action be dismissed without prejudice for failure to prosecute. See Docket No. 50. The parties were initially given fourteen days to file any objections to the Report and Recommendation. No objections were filed.

The Court has carefully reviewed the Report and Recommendation, relevant case law, and the entire record, and finds the Report and Recommendation to be persuasive. Dismissal for want of prosecution and failure to comply with the Court's order is warranted. Accordingly, the Court

ADOPTS the Report and Recommendation (Docket No. 50) in its entirety and **DISMISSES** the action without prejudice.

IT IS SO ORDERED.

Dated this 7th day of April, 2015.

/s/ Daniel L. Hovland
Daniel L. Hovland, District Judge
United States District Court